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DELIVER THE FOLLOWING PAGES TO:

NAME: Examiner Robert C. Watson

DATE: January 21, 2005

FIRM: USPTO - Art Unit 3723

FROM: Donald J. Perreault

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NUMBER OF PAGES INCLUDING COVER SHEET: 5

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ATTACHED IS THE FOLLOWING:

- 1) Cover Sheet (1 pg)
- 2) Response to Restriction Requirement with Certificate of Facsimile dated 01/21/2005 (4 pgs)

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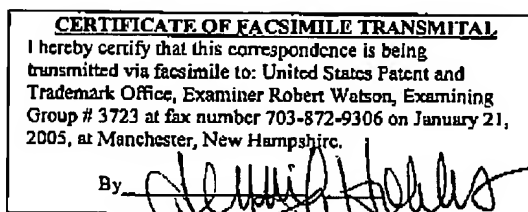
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JAN 21 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln of: MOSCONE, John Atty. Docket No.: MOS104
Title: STAPLE REMOVER
Serial No.: 10/827,096 Art Unit: 3723
Filed: April 19, 2004 Examiner: Watson, Robert C.

Mail Stop: Non-Fee Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO RESTRICTION REQUIREMENT**

Sir:

This in response the first Official Action in this case mailed December 21, 2004. This response is being filed within the one-month shortened statutory period for reply. Accordingly, the Applicants believe that no extension of time is required. However, Applicants conditionally petition for an extension of time to provide for the possibility that the need for such a petition has been inadvertently overlooked. As provided below, please charge Deposit Account No. 50-2121 for any additional required fee.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.